

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PLASTRONICS SOCKET PARTNERS, §
LTD. §
§
Plaintiff, §
§
vs. § CIVIL ACTION NO. 3:09-CV-0454-K
§
DONG WEON HWANG AND HICON §
CO., LTD. §
§
Defendants. §

DECLARATION OF DAVID PFAFF

DAVID PFAFF states as follows:

1. "My name is David Pfaff. I am over twenty-one years of age, have never been convicted of a felony, and have personal knowledge of all the statements contained in this declaration, unless otherwise indicated.
2. I am President of Plastronics Socket Partners, Ltd. ("Plastronics"), the plaintiff in the above-captioned suit.
3. Plastronics is in the business of developing and manufacturing burn-in sockets and related devices for the semi-conductor industry. These sockets (and the "contact pins" used with them) are used to test electrical currents in the semi-conductors before the chips are sold. Plastronics has served the semi-conductor industry since 1969, and has earned a reputation for innovation, and for the precise quality, dependable performance, and long durability of its products.
4. This lawsuit arose out of the actions of Dong Weon Hwang and his company Hicon Co., Ltd. Mr. Hwang is a former employee of Plastronics. He served as

Chief Technical Officer for Plastronics from October 1, 2004, until April 25, 2008, working out of Plastronics' office in Irving, Texas. While employed by Plastronics, Mr. Hwang was provided privileged access to Plastronics' valuable trade secrets and confidential and proprietary information.

5. In or about August 2005, Plastronics began marketing a contact pin, which it spent extensive time and money developing, under the trademark H-PIN. Since that time, Plastronics has continued uninterrupted to market its contact pins under the H-PIN trademark. The electronics industry has come to recognize the H-PIN trademark as signifying products which come from Plastronics, and to associate that mark with Plastronics almost 40 years of service, reputation and goodwill to the industry.

6. As Chief Technical Officer of Plastronics, Mr. Hwang was fully aware of the research and development involved in the H-PIN and in the promotion of the H-PIN trademark in the electronics industry.

7. Mr. Hwang left Plastronics' employment on or about April 25, 2008. Plastronics has since discovered the websites located at www.hi-con.kr and www.hi-contact.com for Defendant HiCon Co., Ltd., a Korean business entity whose websites indicate it was formed on or about April 30, 2008 by Mr. Hwang. Until sometime after this lawsuit was filed and served, the HiCon websites advertised devices called "H-Contact", "H-Sockets" and "H-Converters", and other marks that contain a prominent "H", and show that HiCon is also using Plastronics' distinctive parts numbering system, which prefixes its parts numbers with a capital "H". These have now been changed to "HiCon Contact" and the parts numbers have been changed, but without assurance they will not be changed back. The HiCon websites also advertise devices which are exact

copies of certain Plastronics products which were developed while Mr. Hwang was an employee of Plastronics, and are manufactured using confidential and proprietary techniques and processes of Plastronics.

8. The HiCon websites, and the products described above found on those websites, are being marketed to the same industry as Plastronics' H-PIN pins. They are very likely to cause mistake, confusion and deception among the trade and relevant consumers as to Mr. Hwang and his HiCon company's affiliation with Plastronics and the H-PIN product line, or that their products are in some way connected to Plastronics.

9. I hereby declare, under penalty of perjury pursuant to 28 U.S.C. §1746, that the foregoing is true and correct and within my own personal knowledge."



November 20, 2009